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Attorneys for State Defendants

IN THE UNITED STATES DISTRICT COURT

IN AND FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

RONALD MAY, TOBY GARCIA,
TODD MULDER and CURTIS ELLIS,

Plaintiffs,

v.

UTAH DEPARTMENT OF
CORRECTIONS, MIKE HADDON,
UDOC Interim Executive Director, in
his official capacity, TONY
WASHINGTON, UDOC Clinical
Services Director, in his individual and
official capacities and DOES 1-10,

Defendants.

STIPULATED MOTION TO STAY

Case No. 2:18-cv-00854-RJS

Judge Robert J. Shelby

Defendants Utah Department of Corrections, Mike Haddon, and Tony Washington, by and through undersigned counsel, and Plaintiffs Ronald May, Toby Garcia, Todd Mulder, and Curtis Ellis, by and through undersigned counsel stipulate and hereby move this Court for an order staying discovery and all pleadings in this matter until the Court enters an order on Plaintiff's Motion for Class Certification.

Plaintiffs filed their Complaint on October 31, 2018 and filed a motion seeking Class Certification [ECF 19] on April 19, 2019. The motion for Class Certification is currently pending before this Court. Plaintiffs filed a motion seeking injunctive relief on behalf of both the individual Plaintiffs and the proposed class on November 12, 2019.

Defendants' response to Plaintiff's motion for injunctive relieve will be significantly impacted by the outcome of Plaintiff's motion for class certification—if class certification is granted Defendants will necessarily respond to Plaintiffs' arguments on behalf of the class, if certification is denied, the portions of Plaintiffs' motion relating to the class will be moot. Similarly, the outcome of the Class Certification motion will significantly impact the scope of discovery in this case.

Accordingly, the Parties seek an order from the court staying all discovery and pleadings pending the outcome of Plaintiff's Motion for Class Certification. Following a decision on Plaintiff's Motion, the Parties respectfully request the Court provide Defendants thirty-days to respond to Plaintiff's Motion for Injunctive relief and provide the Parties fourteen days to provide the Court with an Amended Scheduling Order. A proposed order is submitted concurrently herewith.

RESPECTFULLY SUBMITTED this 3rd day of December, 2019.

OFFICE OF THE UTAH ATTORNEY
GENERAL

/s/ Diana Bradley
DIANA BRADLEY
Assistant Utah Attorneys General
Counsel for Defendant

/s/ Stewart Gollan
Counsel for Plaintiffs
(signed with permission)